

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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IN RE:

CECIL HAYNES,

DEBTOR.
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Case No.: 19-45522/cec

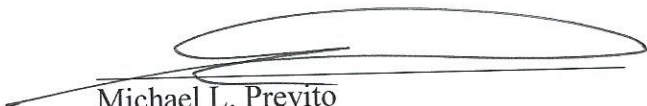
CHAPTER 11

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the Affirmation submitted by Michael L. Previto and upon all prior proceedings had herein, the Debtor, CECIL HAYNES, will move this Court, before the Honorable Carla E. Craig at the Courthouse located at 271-C Cadman Plaza East, Room 3529, Brooklyn, New York 11201 on the 11th day of ~~February~~^{March} 2020, at 2:30^{p.m.} in the forenoon, or as soon thereafter as Counsel can be heard pursuant to 11 U.S.C. 363(c), approving the payments to PHH Mortgage of adequate protection payments as set forth herein, and for such and further relief as the Court shall grant.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, are to be served upon this office no later than 7 days prior to the return date of this motion.

Dated: January 30, 2020


Michael L. Previto
150 Motor Parkway, Suite 401
Hauppauge, NY 11788
(631) 379-0837

To: Office of The United States Trustee
201 Varick Street
New York, NY 10014

United States Bankruptcy Court

EASTERN District of New York

In re CECIL HAYNES, Debtor

Case No.: 1-19-45522-cec

Chapter 11

Affirmation for Adequate Protection Payments and Opportunity to Object

Michael L. Previto, attorney for the Debtor, states as follows:

1. On September 13, 2019, the Debtor filed this petition under Chapter 11 of the United States Bankruptcy Code.

2. The Debtor proposes to make adequate protection payments, pursuant to §1326(a)(1)(c) beginning immediately, to the holders of the allowed secured claims and in the amounts specified below:

<u>Secured Creditor</u>	<u>Collateral Description</u>	<u>Adequate Protection Payment</u>
PHH Mortgage Corporation, d/b/a U.S. National Bank	846 Clarkson Avenue Brooklyn, NY 11203	\$3,025.00, monthly, plus a one-time payment of \$30,000.00

3. The Debtor will make one adequate protection payment and monthly payments, until the Debtor's plan is confirmed, in the following manner:

- (a) The sum of \$30,000.00 upon the execution of this Order.
- (b) The amount of \$3,025.00 once a month until further Order of this Court.

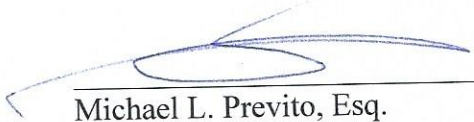
4. The Debtor will continue making his monthly payments on his other property.

5. We believe in good faith, that the issuance of an Order therein will benefit the Debtor, as well as PHH, pending the implementation of the Debtor's confirmed plan.

6. The Debtor is currently in arrears on the mortgage with U.S. National Bank, which is being serviced by PHH Mortgage, with respect to the property located at 846 Clarkson Avenue, Brooklyn, New York 11203.

7. It should be noted that the Debtor-in-Possession account has approximately \$90,000.00 as of the date of this affirmation.
8. The payments herein should provide adequate protection.
9. The other encumbered property located at 2417 Clarendon Road, Brooklyn is current with Wells Fargo and will remain so, as the Debtor is making post-petition payments.
10. We therefore request that this application be granted.

Dated: January 30, 2020



Michael L. Previto, Esq.
150 Motor Parkway, Suite 401
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(631) 379-0837

To: Office of the United States Trustee
201 Varick Street, #1006
New York, NY 10014

CERTIFICATE OF SERVICE

Michael L. Previto, the Attorney for the Debtor, hereby certifies that he served the creditors and parties in interest with a true copy of this **MOTION** to extend the automatic stay, by regular U.S. Mail and through the Federal ECF system on the 30th day of January 2020.

Dated: January 30, 2020



Michael L. Previto
Attorney for Debtor
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Wilmington, DE 19850

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Rye, NY 10580

Ocwen Loan Servicing
PO Box 24738
West Palm Beach, FL 33416

PHH Mortgage Servicesw
PO Box 5452
Mt. Laurel, NJ 08054

Synchrony Bank
PO Box 965060
Orlando, FL 32896

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